

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, April 4, 1994 the following members were present:

Bob Rowe, Vice Chairman
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner
Danny Oberg, Commissioner

Commissioner Anderson was on vacation and did not leave votes on the following issues.

APPEARANCE
Dan Elliott, Administrator
Utility Division

(177) In the matter of U S WEST COMMUNICATIONS - Docket N-94-29; on March 17, 1994, U S West Communications filed Tariff Transmittal 94-11 to introduce a promotional offering for Call Waiting. The proposed promotion would waive the nonrecurring charge and the monthly charge for residential Call Waiting for the first and fourth month of service. Commissioner Fisher moved to approve the tariff filing. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE
Bonnie Lorang
Transportation Division

(178) In the matter of Pre-Fab Transit Co. - Docket No. TN1566; a Corporation, Farmer City, Illinois, Commissioner McCaffree moved to approve applicants request to continue the lease of PSC No. 9317 to J.E. Williams Trucking, Inc., Billings, Montana for a one year period, April 4, 1994 to April 4, 1995.

Class B - Supplies used in the manufacturing of finished products, such supplies limited, however, to mineral filler in bulk only.
Limitations: All shipments must originate or terminate within a radius of 150 miles of Butte, Montana, which radius shall include a radius of ten (10) miles from the principal Federal Building situated in the City of Great Falls, Montana.
Transportation of mineral filler in bags is prohibited.

Commissioner Fisher seconded the motion, which passed unanimously.

(179) In the matter of Docket No. T-93.146.PCN; Michael F. and Donald F. Byrnes, a partnership, dba 5 Dot Transfer, Ronan, Montana; Commissioner Fisher moved to approve the application for a Montana intrastate Certificate of Public Convenience and Necessity. Parties have stipulated to the following grant of authority:

Class D - Solid and liquid sludge from sewer treatment plants, septic sludge, and septage as a waste or recyclable between all points and places in Lincoln, Flathead, Lake, Sanders, Missoula and Mineral Counties. Limitations: Transportation of other waste and other recyclables is prohibited.

Commissioner Oberg seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, April 4, 1994 the following members were present:

Bob Rowe, Acting Chairman
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner
Danny Oberg, Commissioner

Commissioner Anderson was on vacation and did not vote on the following issues.

APPEARANCE
Eric Eck, Robin McHugh

(180) In the matter of Montana Power Company's General Rate Case - Docket 93.6.24; Commissioner Fisher moved to direct staff to draft an order which grants the MPC's accounting proposal on non-consumable materials charged to materials and supplies. Commissioner McCaffree seconded the motion, which passed. Commissioner Fisher, McCaffree and Oberg voted aye. Commissioner Rowe dissented.

Commissioner McCaffree moved to adopt the Bonneville Power Administrations off system sale adjustment of Montana Consumer Counsel to include firm sale to BPA. Commissioner Oberg seconded the motion, which passed unanimously.

Commissioner McCaffree moved to adopt MCC adjustment on employee level counts. Commissioner Oberg seconded the motion, which passed. Commissioners McCaffree, Oberg and Rowe voted aye. Commissioner Fisher dissented.

APPEARANCE
Dan Elliott, Wayne Budt, Tim Sweeney

(181) In the matter of various consulting expenditures; Commissioner Oberg moved to direct staff to develop an application for a NTIA grant and authorize the expenditures of up to \$1,000 in contracted services to Joe Gillian to develop a grant application

costing no more than a \$25,000. Commissioner McCaffree seconded the motion, which passed. Commissioners Oberg, McCaffree and Rowe voted aye. Commissioner Fisher dissented.

APPEARANCE

Robin McHugh, Dave Burchett, Wayne Budt

(182) In the matter of the follow-up on Attorney General's opinion regarding PSC motor carrier citations; Commissioner McCaffree moved to withdraw the request for an AG opinion on prosecution of offenses by County Attorney of PSC motor carrier violations. Commissioner Fisher seconded the motion, which passed unanimously. There being no further business to come before the Commission the meeting was adjourned.

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, April 11, 1994, the following members were present:

Bob Anderson, Chairman
Bob Rowe, Vice Chairman
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner
Danny Oberg, Commissioner

APPEARANCE

Dan Elliott, Administrator
Utility Division

(183) In the matter of PP&L DOCKET N-94-22; on March 7, 1994, PP&L filed for authority to revise its residential energy efficiency rider (No. 6). A memo was routed. This was noticed on last week's agenda. Commissioner Rowe moved to grant the requested authority to PP&L. Commissioner McCaffree seconded the motion, which passed unanimously.

(184) In the matter of AT&T - Docket No. N-94-30; on March 22, 1994, AT&T filed Advice 94-09; Commissioner McCaffree moved to approve the filing which proposes to change the rate structure for 800 READYLINE Service, 800 GOLD Service - Switched Basic and Options 1 and 2, and the Switched 800 portion of UniPlan. AT&T

states that, in response to customer demand for per call pricing, it is proposing to replace the current 30 second minimum average time requirement with a per call price based on a 30 second initial period and a one second additional period. This was noticed on last week's agenda. Commissioner Fisher seconded the motion, which passed unanimously.

(185) In the matter of PP&L - Docket No. N-94-23; on March 7, 1994, PP&L filed for authority to tariff a new residential energy efficiency rider (No. 11). A memo was routed. This was noticed on last week's agenda. Commissioner Rowe moved to approve the filing. Commissioner McCaffree seconded the motion, which passed unanimously.

(186) In the matter of AT&T - Docket No. N-94-31; on March 22, 1994, AT&T filed Advice 94-10; Commissioner Fisher moved to approve the filing which proposes to establish separate rate schedules for Coin-Paid Operator Station Service and Coin-Paid Person-to-Person Service. The filing also proposes to change the initial rate period from one minute to three minutes. This was noticed on last week's agenda. Commissioner Oberg seconded the motion, which passed. Commissioners Anderson, Rowe, Fisher and Oberg voted aye. Commissioner McCaffree dissented.

APPEARANCE
Bonnie Lorang
Transportation Division

(187) In the matter of Western Powders, Inc., Miles City, MT - Docket T-94.17.PCN; Commissioner McCaffree moved to approve the application for a Montana Intrastate Certificate of Public Convenience and Necessity. Parties have stipulated to the following grant of authority:

Class B - Explosives and the materials or supplies used for the manufacture and distribution thereof between all points and places in Montana. Limitations: Transportation of commodities in bulk is prohibited.

Commissioner Rowe seconded the motion, which passed unanimously.

(188) In the matter of Warren Way West (a Corp.), Billings, MT - Docket T-94.16.PCN; filed an application for a Montana Intrastate Certificate of Public Convenience and Necessity:

Class B - Limestone, crushed limestone and waste limestone between Warren, Montana on the one hand, and on the other, all points and places in Yellowstone, Rosebud, Carbon, Big Horn and Stillwater Counties, Montana.

Applicant has filed a motion to withdraw the application.

Commissioner McCaffree moved to approve request for withdrawal of application. Commissioner Rowe seconded the motion, which passed unanimously.

(189) In the matter of Docket T-94.9.PCN; Murray's Delivery Service, Inc., Great Falls; Commissioner Oberg moved to approve the application for a Montana Intrastate Certificate of Public Convenience and Necessity authorizing the following:

Class C - Pharmaceuticals between all points and places in Cascade, Lewis & Clark, Chouteau, Blaine, Toole, Liberty, Pondera, Glacier, Hill and Teton Counties.
Limitations: Transportation is restricted to the account of McKesson Drug Company, only.

Commissioner Fisher seconded the motion, which passed unanimously.

(190) In the matter of Friedrich Lumber, Inc., Plentywood, Montana - Docket T-93.160.ST; Commissioner Oberg moved to approve the application for transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 3446 to Randall Christensen dba Christensen Transport/Trucking, Plentywood, Montana.

Class B - Livestock between all points and places in the State of Montana.

Commissioner McCaffree seconded the motion, which passed unanimously.

(191) In the matter of James and Jean Fisher dba J & J Livestock, Lewistown, MT - Docket T-94.8.ST; Commissioner Oberg moved to approve the application for transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 3490 to John P. Crume dba John Crume Trucking, Billings, MT.

Class B - livestock between all points and places in the State of Montana.

SUB A Class C - agricultural fertilizer in bags from Harlem, Montana, to points and places in the following counties: Blaine, Hill, Toole, Glacier, Teton, Cascade, Phillips, Valley and Roosevelt.

Limitations: All shipments must originate at the plant of Cenex Soil Service Center, Harlem, Montana.

Commissioner Fisher seconded the motion, which passed unanimously.

(192) In the matter of Dick Irvin, Inc., a Montana Corporation and Ben Taylor, an Individual dba I & T Transfer, Shelby, MT - Docket T-94.15.PCN; Commissioner Oberg moved to approve a portion of the application for transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 695 to Michael R. Irvin, an Individual, Shelby, MT.

Class C - property between all points and places in Toole, Liberty, Glacier and Pondera Counties, subject to the following:

Limitations: (1) The transportation of property requiring the use of special equipment because of its unusual size or weight is prohibited, (2) Transportation of petroleum and petroleum products in bulk in tank vehicles, is prohibited; and (3) Transportation between points served by rail carriers is prohibited, provided, however, that nothing in this limitation shall be construed as prohibiting the carrier above-named from transporting from Shelby, Montana, to points within Toole, Liberty, Glacier and Pondera Counties, Montana, property transported into Shelby by railroad or received by carrier for delivery to retail dealers doing business and having their place of business in said counties, or either of them. (4) Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

Commissioner McCaffree seconded the motion, which passed unanimously.

(193) In the matter of Harry Ellis dba Customized Services, Bozeman, Montana - Docket T-94.6.PCN; Commissioner Fisher moved to grant applicants request for a public hearing in Ennis, Montana, for purposes of taking shipper testimony relevant to Madison County, in Docket T-94.6.PCN.

Class D - Garbage within Gallatin and Madison Counties.

A hearing is scheduled for April 13th and 14th in Bozeman at this time.
Commissioner McCaffree seconded the motion, which passed unanimously.

(194) In the matter of Docket T-94.6.PCN; on April 5, 1994, Protestant Waste Management Partners of Bozeman, Ltd. filed First Interrogatories, Requests for Production of Documents, and Request for Admission to Applicant, Harry Ellis, along with a Motion to Shorten Time for Answering Discovery.

The original protest of Waste Management was filed February 22nd. Hearing is scheduled for April 13th.

Commissioner Fisher moved to deny motion to shorten time for answering discovery. Commissioner Oberg seconded the motion, which passed unanimously.

(195) In the matter of Melvin D. Bowker dba Mel's Towing and Service, Libby, Montana - Docket T-334; Commissioner Rowe moved to cancel PSC No. 3893, for failure to reactivate following twelve months of suspension. An Order to Show Cause has been sent and received with no response.

Class B - house trailers and mobile homes of all types (including modular construction and prefabricated movable homes) between all points and places in the following counties: Lincoln, Flathead, Lake, Glacier, Sanders and Mineral.
Limitations: Transportation must originate and terminate within Flathead, Lake, or Lincoln Counties.

Commissioner Fisher seconded the motion, which passed unanimously.

(196) In the matter of William E. Breuer dba B & N Livestock, Black Eagle, Montana - Docket T-331; Commissioner Rowe moved to cancel PSC No. 3582, for failure to reactive following twelve months of suspension. An Order to Show Cause has been sent and received with no response.

Class B - livestock between all points and places in the State of Montana.
Commissioner McCaffree seconded the motion, which passed unanimously.

(197) In the matter of Herbert H. Cole dba Cole's Trucking, Troy, Montana - Docket T-333; Commissioner Rowe moved to cancel PSC No. 9004, for failure to maintain required liability insurance coverage. An Order to Show Cause has been sent and received with no response.

Class C - Log and lumber products by the use of flatbed trailers only from Troy, Montana, to points in the following counties: Lincoln, Sanders, Flathead, Missoula, Granite, Deer Lodge, Beaverhead and Gallatin.
Limitations: Transportation is restricted to that provided for the account of Diversified House Log only.

Commissioner McCaffree seconded the motion, which passed unanimously.

(198) In the matter of Merlin Holmes and Gene Fitzsimmons, White Sulphur Springs, Montana - Docket TN1569; Commissioner Oberg moved to grant request for permission to continue the lease of PSC No. 8767 to Gene Fitzsimmons, Wolf Point, Montana for a period of one year, March 5, 1994 to March 5, 1995.

Class C - water for oil rigs between all points and places in

the following counties: Ravalli, Madison, Gallatin, Park, Meagher, Broadwater, Silver Bow, Lewis & Clark, Missoula, Granite, Powell, Deer Lodge and Jefferson.

Commissioner Fisher seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, April 11, 1994, the following members were present:

Commissioners Anderson and Oberg did not vote on the following issue.

Bob Rowe, Vice Chairman
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner

APPEARANCE
Bonnie Lorang, Wayne Budt

(199) In the matter of the Commission's discussion of the final order in the complaint of Falcon Press v. UPS; Docket No. T-93.89.COM; Commissioner Fisher moved to grant Final Order 6290. Commissioner McCaffree seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, April 11, 1994, the following members were present:

Bob Anderson, Chairman
Bob Rowe, Vice Chairman
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner
Danny Oberg, Commissioner

APPEARANCE

Mike Lee, Tim Sweeney

(200) In the matter of the Commission's discussion of additional issues in the other common carrier docket - Docket No. 94.2.8; Commissioner Rowe moved to add for consideration in this docket, two additional issues:

- a) possible federal legislation to end toll limitation of RBOC's;
- b) customer information issues.

Commissioner Oberg seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, April 12, 1994, the following members were present:

Bob Anderson, Chairman
Bob Rowe, Vice Chairman
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner

Commissioner Oberg was absent but left his proxy on the following issues with Commissioner McCaffree.

APPEARANCE

Robin McHugh, Dan Elliott, Tim Sweeney

(201) In the matter of the Commission's discussion of NTIA planning grant; Commissioner McCaffree moved to reconsider decision to pursue the NTIA grant. Commissioner Fisher seconded the motion, which passed. Commissioners McCaffree, Fisher and Oberg voted aye. Commissioners Rowe and Anderson dissented.

(202) In the matter of the Commission's discussion of PSC contract with Joe Gillian; Commissioner Fisher moved to direct staff to pursue contract with Joe Gillian to organize telco issues. Commissioner McCaffree seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, April 18, 1994, the following members were present:

Bob Anderson, Chairman
Bob Rowe, Vice Chairman
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner

Commissioner Oberg was absent and did not vote on the following issues.

APPEARANCE
Bonnie Lorang
Transportation Division

(203) In the matter of authorization for out-of-state travel; Commissioner McCaffree moved to approve Joel Tierney and Ron Woods to travel out-of-state to conduct a discovery audit of Montana Dakota Utilities records in Bismarck, North Dakota, April 25-29, 1994. Commissioner Rowe seconded the motion, which passed unanimously.

(204) In the matter of Early Bird Enterprises, Inc., Sheridan, WY - Docket No. 93.168.PCN; Commissioner Fisher moved to approve the application for Montana Intrastate Certificate of Public Convenience and Necessity as stipulated. Parties have stipulated to the following grant of authority:

Class B - Veterinary supplies and medicines, miscellaneous tack and husbandry supplies (no feed), farm machinery parts not exceeding 100 pounds each, pharmaceutical drugs, health and beauty aids and sundries normally marketed through retail drug stores between all points and places in the following counties: Yellowstone, Musselshell, Petroleum, Fergus, Judith Basin, Cascade, Lewis & Clark, Broadwater, Powell, Silver Bow, Jefferson, Madison, Gallatin, Park, Sweet Grass, Stillwater and Carbon. Limitations: (1) Transportation hereunder which both originates and terminates within Yellowstone County is prohibited. (2) Transportation may not exceed 100 pounds per shipment per consignee.

Commissioner McCaffree seconded the motion, which passed unanimously.

(205) In the matter of Jerry Kelly dba B & J's Taxi, Anaconda, Montana - Docket No. T-93.174.PCN; Commissioner Fisher moved to approve the application for a Montana Intrastate Certification of Public Convenience and Necessity as stipulated. Parties have stipulated to the following grant of authority:

Class B - Passengers and their baggage and express between all points and places within Anaconda, Montana, in the 30 mile radius thereof.

LIMITATIONS: (1) Express transportation is limited to a 10 mile radius of Anaconda, Montana, with weight per article not to exceed 50 pounds. (2) Transportation of passengers in limousine service is prohibited.

Commissioner Rowe seconded the motion, which passed unanimously.

(206) In the matter of Schelko, Inc. dba "A"___Limo Limousine Co., Billings, Montana - Docket TN1568; Commissioner McCaffree moved to approve request to file a \$5.00 Off Coupon Offer for the Month of May 1994, in its Passenger Service Tariff #2.

"A"___Limo will advertise the Coupon Offer in the Billings Gazette the 1st week of May. It will allow a \$5.00 Off of the 1st hour of transportation service. The limousine may be booked for any time in 1994., but has to be confirmed and paid for before May 31, 1994, in order for the coupon to be valid. Only one coupon can be used per booking; however, a customer may purchase more than one coupon to be used for separate trips.

Commissioner Rowe seconded the motion, which passed unanimously.

(207) In the matter of Lawrence M. Rummans dba Diamond Willow Stage Line, Lewistown, Montana - Docket No. TN1571; Commissioner Rowe moved to grant request for suspension of PSC No. 9138 (base authority) for a period of six months, May 1, 1994 to November 1, 1994.

Class B- Passengers and baggage in shuttle service between all points and places in Fergus, Petroleum, Yellowstone, Musselshell, Judith Basin, Cascade and Meagher Counties.
Limitations: All movements must originate or terminate in Fergus County.

Commissioner McCaffree seconded the motion, which passed unanimously.

(208) In the matter of Interstar, Inc., Billings, Montana - TN1572; Commissioner McCaffree moved to grant request for suspension of PSC No. 6871 for a period of six months, April 15, 1994 to October 15, 1994.

Class B - Water in bulk in tank vehicles between all points and places in the State of Montana.

SUB A Class B - 1) Manufactured livestock feed; 2) Mineral filler; between all points and places in the State of Montana
Limitations: a) Transportation for the Montana Flour Mills is prohibited. b) Transportation of cranby, linseed and safflower meal is prohibited. c) Transportation of rosins and glue is prohibited.

Commissioner Rowe seconded the motion, which passed unanimously.

(209) In the matter of Lowell Curtis, Manhattan, Montana - TN1573; Commissioner Fisher moved to approve the lease of PSC No. 9151 to Troy C. Dorrell dba Pro Hand Services, Belgrade, Montana for a period of one year, April 18, 1994 to April 18, 1995.

Class C - Wooden and metal buildings between all points and places in the state of Montana.

SUB A Class C - Structures of unusual size or shape or weight requiring special equipment between all points and places in Broadwater, Jefferson and Lewis & Clark Counties.

Commissioner McCaffree seconded the motion, which passed unanimously.

(210) In the matter of Claudia R. Nace as the executor of the Estate of William A. Nace -TN1574; Commissioner Fisher moved to grant request for further suspension of PSC No. 3539 for a final six month period, April 1, 1994 to October 1, 1994.

Class B - livestock between all points and places in the State of Montana.

Commissioner McCaffree seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, April 18, 1994, the following members were present:

Bob Anderson, Chairman
Bob Rowe, Vice Chairman
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner

Commissioner Oberg was absent and did not vote on the following issues.

APPEARANCE
Bonnie Lorang
Transportation Division

(211) In the matter of authorization for out-of-state travel; Commissioner McCaffree moved to approve Joel Tierney and Ron Woods to travel out-of-state to conduct a discovery audit of Montana Dakota Utilities records in Bismarck, North Dakota, April 25-29, 1994. Commissioner Rowe seconded the motion, which passed unanimously.

(212) In the matter of Early Bird Enterprises, Inc., Sheridan, WY - Docket No. 93.168.PCN; Commissioner Fisher moved to approve the application for Montana Intrastate Certificate of Public Convenience and Necessity as stipulated. Parties have stipulated to the following grant of authority:

Class B - Veterinary supplies and medicines, miscellaneous tack and husbandry supplies (no feed), farm machinery parts not exceeding 100 pounds each, pharmaceutical drugs, health and beauty aids and sundries normally marketed through retail drug stores between all points and places in the following counties: Yellowstone, Musselshell, Petroleum, Fergus, Judith Basin, Cascade, Lewis & Clark, Broadwater, Powell, Silver Bow, Jefferson, Madison, Gallatin, Park, Sweet Grass, Stillwater and Carbon. Limitations: (1) Transportation hereunder which both originates and terminates within Yellowstone County is prohibited. (2) Transportation may not exceed 100 pounds per shipment per consignee.

Commissioner McCaffree seconded the motion, which passed unanimously.

(213) In the matter of Jerry Kelly dba B & J's Taxi, Anaconda, Montana - Docket No. T-93.174.PCN; Commissioner Fisher moved to approve the application for a Montana Intrastate Certification of Public Convenience and Necessity as stipulated. Parties have stipulated to the following grant of authority:

Class B - Passengers and their baggage and express between all points and places within Anaconda, Montana, in the 30 mile radius thereof.

LIMITATIONS: (1) Express transportation is limited to a 10 mile radius of Anaconda, Montana, with weight per article not to exceed 50 pounds. (2) Transportation of passengers in limousine service is prohibited.

Commissioner Rowe seconded the motion, which passed unanimously.

(214) In the matter of Schelko, Inc. dba "A"___Limo Limousine Co., Billings, Montana - Docket TN1568; Commissioner McCaffree moved to approve request to file a \$5.00 Off Coupon Offer for the Month of May 1994, in its Passenger Service Tariff #2.

"A"___Limo will advertise the Coupon Offer in the Billings Gazette the 1st week of May. It will allow a \$5.00 Off of the 1st hour of transportation service. The limousine may be booked for any time in 1994., but has to be confirmed and paid for before May 31, 1994, in order for the coupon to be valid. Only one coupon can be used per booking; however, a customer may purchase more than one coupon to be used for separate trips.

Commissioner Rowe seconded the motion, which passed unanimously.

(215) In the matter of Lawrence M. Rummans dba Diamond Willow Stage Line, Lewistown, Montana - Docket No. TN1571; Commissioner Rowe moved to grant request for suspension of PSC No. 9138 (base authority) for a period of six months, May 1, 1994 to November 1, 1994.

Class B- Passengers and baggage in shuttle service between all points and places in Fergus, Petroleum, Yellowstone, Musselshell, Judith Basin, Cascade and Meagher Counties.

Limitations: All movements must originate or terminate in Fergus County.

Commissioner McCaffree seconded the motion, which passed unanimously.

(216) In the matter of Interstar, Inc., Billings, Montana - TN1572; Commissioner McCaffree moved to grant request for suspension of PSC No. 6871 for a period of six months, April 15, 1994 to October 15, 1994.

Class B - Water in bulk in tank vehicles between all points and places in the State of Montana.

SUB A Class B - 1) Manufactured livestock feed; 2) Mineral filler; between all points and places in the State of Montana
Limitations: a) Transportation for the Montana Flour Mills is prohibited. b) Transportation of cranby, linseed and safflower meal is prohibited. c) Transportation of rosins and glue is prohibited.

Commissioner Rowe seconded the motion, which passed unanimously.

(217) In the matter of Lowell Curtis, Manhattan, Montana - TN1573; Commissioner Fisher moved to approve the lease of PSC No. 9151 to Troy C. Dorrell dba Pro Hand Services, Belgrade, Montana for a period of one year, April 18, 1994 to April 18, 1995.

Class C - Wooden and metal buildings between all points and places in the state of Montana.

SUB A Class C - Structures of unusual size or shape or weight requiring special equipment between all points and places in Broadwater, Jefferson and Lewis & Clark Counties.

Commissioner McCaffree seconded the motion, which passed unanimously.

(218) In the matter of Claudia R. Nace as the executor of the Estate of William A. Nace -TN1574; Commissioner Fisher moved to grant request for further suspension of PSC No. 3539 for a final six month period, April 1, 1994 to October 1, 1994.

Class B - livestock between all points and places in the State of Montana.

Commissioner McCaffree seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, April 19, 1994, the following members were present:

Bob Anderson, Chairman
Bob Rowe, Vice Chairman
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner
Danny Oberg, Commissioner

APPEARANCE
Robin McHugh, Mike Lee

(219) In the matter of Montana Power Company - Docket No. 93.7.29; Commissioner Oberg moved to direct staff to call a post hearing conference to discuss staff recommendation for a collaborative process of cost of service issues. Commissioner Rowe seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, April 20, 1994, the following members were present:

Bob Anderson, Chairman
Bob Rowe, Vice Chairman
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner
Danny Oberg, Commissioner

APPEARANCE

Martin Jacobson, Dan Elliott

(220) In the matter of Montana Power Company - Docket No. 93.11.54; Commissioner Fisher moved to approve the protective order. Commissioner McCaffree seconded the motion, which passed unanimously.

Commissioner Rowe moved to issue a Notice of Commission Action which denies MPC's motion to discontinue intervention of Paladin Associates. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh

(221) In the matter of Montana Dakota Utility - Docket No. 93.9.41; Commissioner Rowe moved to grant MDU's request to file a response to consultant's Cynthia Mitchell's integrated resource planning report. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Wayne Budt, Dan Elliott

(222) In the matter of the Commission's discussion of its organization chart; Commissioner Oberg moved to submit the Agency Organization Chart listed to the Division level and rule as drafted. Commissioner McCaffree seconded the motion, which passed. Commissioners Oberg, Anderson and McCaffree voted aye. Commissioners Rowe and Fisher dissented.

APPEARANCE

Dave Burchett, Nina Wines, Robin McHugh

(223) In the matter of Dick Irvin, Inc., Commodity Tariff #1 - TN -1567; Commissioner Fisher moved to approve the rate reduction as requested by Dick Irvin, Inc. and direct staff to initiate a compliance audit of Dick Irvin, Inc. within 30 days. Commissioner Oberg seconded the motion, which passed 4-0. Commissioners Oberg, McCaffree, Fisher and Rowe voted aye. Commissioner Anderson disqualified himself from participating in the matter due to protestant Campbell being election opponent.

APPEARANCE

Wayne Budt, Robin McHugh, Dan Elliott

(224) In the matter of the Commission's discussion of person-

nel; Commissioner Rowe moved to appoint Denise Peterson as EEO/ADA officer and Laura Calkin as agency Personnel Officer. Commissioner McCaffree seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, April 25, 1994, the following members were present:

Bob Anderson, Chairman
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner
Danny Oberg, Commissioner

Commissioner Rowe was absent, but left votes on the following issues with Commission Secretary.

APPEARANCE
Dan Elliott, Administrator
Utility Division

(225) In the matter of Montana Power Company - Docket No. 93.6.24; Commissioner Oberg moved to approve final order as drafted. Commissioner Fisher seconded the motion, which passed unanimously. Commissioner Rowe voted aye, but has attached a dissent on the following three issues in the order; Return on Common Equity, Depreciation Reserve Adjustment and Nonconsumable Materials.

(226) In the matter of US West Communications - Docket N-94-25; on March 9, 1994, USWC filed to restructure its Radio Common Carrier (RCC) tariff, and to introduce a digital interconnection alternative for RCCs (see 4/21 memo). This was noticed on Agenda #94-3-21. Commissioner Fisher moved to approve the tariff filing. Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(227) In the matter of Valley Telecommunications - Docket N-94-27; on March 16, 1994, Valley Telecommunications, Inc. filed its initial local exchange tariff for Commission approval. Interim

approval was granted on 4/11. A revised tariff has been submitted, and is ready for final approval. This was noticed on Agenda #94-3-21. Commissioner Oberg moved to approve the tariff filing. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(228) In the matter of Project Telephone Company - Docket N-94-28; on March 16, 1994, Project Telephone Company filed its initial local exchange tariff for Commission approval. Interim approval was granted on 4/11. A revised tariff has been submitted, and is ready for final approval. This was noticed on Agenda #94-3-21. Commissioner McCaffree moved to approve the tariff filing. Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(229) In the matter of Black Hills Power & Light - Docket No. 94.4.18; on April 6, 1994, BHP&L filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on April 12, 1994. Requests for hearing were due by April 24, 1994. No requests have been received. This application will increase rates by \$23,492 over the base cost of fuel approved in Docket No. 83.4.25. A default order has been drafted. Commissioner McCaffree moved to grant Default Order No. 5782. Commissioner Fisher seconded the motion, which passed unanimously. Commissioner Rowe left his proxy to Commissioner McCaffree on this item.

APPEARANCE
Bonnie Lorang
Transportation Division

(230) In the matter of L.L. Smith Trucking, Inc., Riverton, WY - Docket T-94.10.ST; Commissioner McCaffree moved to approve application for transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 9212 to Whitewood Transportation, Inc., Billings, MT.

Class B - property as specified: heavy equipment of unusual size and weight requiring special equipment; including dredge, mining, milling, road building and logging machinery, equipment and supplies; machinery equipment and supplies used in construction, operation and maintenance of electrical power plants and transmission systems; machinery, equipment and supplies used in construction, operation and maintenance of natural gas and petroleum transmission systems; including compressor and pumping stations; machinery, equipment and supplies used in construction, operation and maintenance of telephone and telegraph lines and systems; machinery, equipment and supplies used in refining and processing ore and rock, or in manufacturing finished products, tanks; equipment, materials and supplies used and useful in control of forest fires, construction of forest service improvements, or fire, or pest control; equipment, materials and supplies used and useful in transporting or retrieving aircraft or other mobile equipment, between all points and places in the State of Montana. Limitations: The transportation of property between points served by rail carriers, or between points served by a Class A motor carrier is prohibited.

Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(231) In the matter of Intermountain Tariff Bureau, Inc. (for and on behalf of Koch Service, Inc., Wichita, KS) Docket TN1570; Commissioner McCaffree moved to approve applicants filing of reduced rates of between 16.5% and 31.5%, in ITB Tank Transport Tariff No. 29-A. The reduced rates will apply on the transportation of Liquified Petroleum Gas from Laurel to Harlowton, Valier

and White Sulphur Springs, and are to become effective on short notice.

This was a notice item on the agenda for #94-4-18

Commissioner Fisher seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(232) In the matter of Intermountain Tariff Bureau, Inc. (for and on behalf of its participating carriers) - Docket T-94.22.RI; Commissioner McCaffree moved to approve the filing for increased rates and charges of 5% in ITB Tank Transport Tariff No. 29-A, Mont. P.S.C. No. 16, Item No. 517-1.

This item applies on the transportation of Gasoline (minimum weight 10,000 gallons) and Diesel Fuel (minimum weight 9,000 gallons) from Missoula to Kalispell and Missoula, as served by the participating carriers to this item.

Protest Date: April 20, 1994 (no protests received)
Effective Date: May 2, 1994

Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(233) In the matter of Beach Transportation Company, Missoula, Montana - Docket T-94.18.RI; Commissioner Fisher moved to approve the filing of proposed rates and charges resulting in increases of between 0% and 12%, and decreases up to 6%, in Charter Coach Tariff No. 1A. The proposed rate changes apply on the transportation of passengers and their personal baggage in charter service, between all points and places in the State of Montana, with limitations.

Protest Date: April 20, 1994 (no protests received)
Effective Date: May 1, 1994

Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(234) In the matter of Eugene Shumaker dba Shumaker Trucking and Excavating, Great Falls, Montana - TN1575; Commissioner McCaffree moved to approve applicants request to continue the lease of PSC No. 4304 to Shumaker Trucking and Excavating Contractors, Inc., Great Falls, Montana from April 15, 1994 to April 15, 1995 or until the sale and transfer procedure is complete.

Class B - agricultural machinery and equipment, road construction machinery and equipment, heavy equipment of unusual size or weight requiring special equipment. Between points and places within Cascade County, Montana; and between points and places in Cascade County, Montana, on one hand, and, on the other, all points and places in the State of Montana.

Limitations: (1) The transportation between points served by rail except when special equipment is required for loading and unloading is prohibited; (2) transportation in the following counties is prohibited; Richland, McCone, Garfield, Petroleum, Yellowstone, Big Horn, Musselshell, Rosebud, Treasure, Powder River, Custer, Carter, Fallon, Prairie, Dawson and Wibaux; (3) the transportation of wrecked or disabled automobiles, house trailers or mobile homes is prohibited.

SUB A Class B - used car bodies with or without chassis attached, crushed or compacted, in all

forms including shredded and baled. Between all points and places in the State of Montana.
Limitations: The transportation of car bodies contained herein is restricted against the movement of vehicles destined for repair and reuse in their original state (condition) of manufacture.

SUB B Class B - sand and gravel, concrete mix, aggregate, bituminous asphalt, aggregate mix, dirt, rock, pit run, material from demolished buildings, used paving materials, used concrete, broken concrete, riprap, uprooted trees and shrubs, and all forms and types of excavation materials.
Limitations: Transportation of petroleum and petroleum products in bulk and in tank trucks and trailers is prohibited.

Commissioner Fisher seconded the motion, which passed unanimously.
Commissioner Rowe voted aye.

(235) In the matter of Fred M. Zweifel dba Circle Z Enterprises, Virginia City, Montana - TN1576; Commissioner Fisher moved to grant applicants request to continue the suspension of PSC No. 9270 from March 30, 1994 to May 27, 1994.

Class B - Passengers within the City of Virginia City and a two mile radius thereof.

Commissioner Oberg seconded the motion, which passed unanimously.
Commissioner Rowe voted aye.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, April 25, 1994, the following members were present:

Bob Anderson, Chairman
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner
Danny Oberg, Commissioner

Commissioner Rowe was absent and did not vote on the following issues.

APPEARANCE
Chuck Evilsizer

(236) In the matter of OCC Status report - discussion of companies that did not respond to the Commission questionnaire; Commissioner Oberg moved to direct staff to issue a formal notice to non-responders requiring them to file responses in a short amount of time with no change in procedural schedule for this docket. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE
Wayne Budt, Dan Elliott

(237) In the matter of the Commission's discussion of travel, budget and EPP; Commissioner Fisher moved to approve out-of-state travel as recommended by staff:

- Commissioner Anderson travel to NARUC Summer Meetings in San Diego, California (July, 1994) and Bonneville Power Administration meeting in Portland, Oregon (May, 1994),
- Commissioner Rowe travel to Bonneville Power Administration meeting in Portland, Oregon (May, 1994),

- Mike Lee travel to NRRI 9th Biennial conference (September, 1994),
- Mike Sheard travel to Rutgers in San Francisco, California (July, 1994),
- Kate Whitney travel to NARUC Staff Committee on Affairs in Cincinnati, Ohio (September, 1994).

Commissioner Oberg seconded the motion, which passed. Commissioners Fisher, Oberg and Anderson voted aye. Commissioner McCaffree dissented.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary
(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on April 26, 1994, the following members were present:

Bob Anderson, Chairman
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner
Danny Oberg, Commissioner

Commissioner Rowe was absent and did not vote on the following issues.

APPEARANCE

Martin Jacobson, Dan Elliott

(238) In the matter of the Commission's discussion of motions, objections, responses, protected information, standing and testimony; Commissioner Fisher moved to concur in staff recommendations and issue a Notice of Commission Action granting and denying in part the objections of Montana Power Company. Commissioner McCaffree seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)